

REMARKS

In the March 5, 2009 Office Action, the examiner requested restriction to one of the following two groups: Group I.: Claims 1-12, drawn to a method; and Group II.: Claims 13-26, drawn to a product. Applicant elected Group II without traverse, the product claims.

The examiner stated that if claims directed to the product are elected, and the product claims are subsequently found allowable, withdrawn process claims that depend from, or otherwise require all the limitations of the allowable product claims, will be considered for rejoinder. In the event of rejoinder, the requirement for restriction between the product claims and the rejoined process claims will be withdrawn, and the rejoined process claims will be fully examined for patentability. See March 5, 2009 Office Action paragraph 6 on pages 3 and 4.

In the June 25, 2010 Notice of Allowance, the Examiner indicates that the product claims, i.e., Claims 13-26, are allowed. Thus, the Applicants have filed the instant Amendment to rejoin the withdrawn processed claims. Claim 2 is cancelled.

As the allowed product claims, the rejoined process claims are presently amended to include the following phrase: “...wherein the nanotube is a peptide bolaamphiphile nanotube...” Support for this language is in paragraph [0036] of the application. Claim 2 is cancelled.

Application No.: 10/593,514
Filing Date: April 9, 2007
Docket No.: 1038-13 PCT/US
Page 8

It is believed that this application is in condition for allowance, including the rejoined process claims. If resolution of any remaining issues is required prior to allowance of the application, it is respectfully requested that the Examiner contact Applicants' undersigned attorney at the telephone number provided below.

Respectfully submitted,

/susan a. sipos/

Susan A. Sipos
Registration No.: 43,128
Attorney for Applicants

HOFFMANN & BARON, LLP
6900 Jericho Turnpike
Syosset, New York 11791
(516) 822-3550
SAS:dlb
338368